

Message Text

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PAGE 01 SAIGON 02085 151337Z

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ACTION EA-14

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FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 1774

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TAGS: PFOR, VS, VN, UN

SUBJECT: GVN FOREIGN MINISTRY COMMENT ON "PRG" PLAN TO ATTEND
GENEVA CONFERENCE ON LAW OF WAR

1. ASSISTANT DIRECTOR MFA PRESS AFFAIRS (TUNG) MADE FOLLOWING
STATEMENT AT REGULAR MORNING PRESS BRIEFING FEBRUARY 15: BEGIN
QUOTE: ON FEB. 14, 1974, THE SO-CALLED "PRG" ANNOUNCED THAT,
BECAUSE THE VIET CONG HAVE JOINED THE GENEVA CONVENTIONS OF 1949
THEY WILL REQUEST TO ATTEND THE DIPLOMATIC CONFERENCE TO BE
HELD AT GENEVA ON FEB. 20, 1974. THE (GVN) FOREIGN MINISTRY
TERMS THIS AN UNREASONABLE DEMAND AND FINDS IT NECESSARY TO
CLARIFY THE FOLLOWING FOR PUBLIC OPINION, AT HOME AND
ABROAD:

2. FIRST: THE JOINING IN THE 1959 GENEVA CONVENTIONS IS
FOR SOVEREIGN NATIONS ONLY. CONSIDERING ARTICLE 60 OF
CONVENTION #1, ARTICLE 59 OF CONVENTION #2, ARTICLE 139 OF
CONVENTION #3 AND ARTICLE 155 OF CONVENTION #4, THE "PRG" QX
NOT A GOVERNMENT AND SINCE IT REPRESENTS NO NATION, THE "PRG"
IS IN NO POSITION TO JOIN THE GENEVA CONVENTIONS.

UNCLASSIFIED

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PAGE 02 SAIGON 02085 151337Z

EM AFTER THE VIET CONG HAD REQUESTED TO JOIN THE CONVENTIONS, THE SWISS GOVERNMENT, AS THE NATION HOLDING RECORD OF THE CONVENTIONS, REACTED IN A NATURAL FASHION BY INFORMING (SIGNATORIES) OF THIS REQUEST WITHOUT COMMENTING ON THE STATUS OF THE REQUESTOR.

4. AFTER BEING INFORMED BY THE SWISS GOVERNMENT OF THIS, THE RVN FOREIGN MINISTRY PROTESTED. ITS DIPLOMATIC NOTE TO THE SWISS GOVERNMENT ON FEB 2, 1974, STATED THAT THE PARTICIPATION OF THE "PRG" WOULD BE VALUELESS AND UNPRODUCTIVE.

5. RVN FM ALSO REQUESTED THE SWISS GOVERNMENT TO INFORM ALL NATIONS SIGNATORY TO THE GENEVA CONVENTIONS OF THE RVN'S VIEWPOINTS. SECOND: THE SO-CALLED "PRG" HAS NO STATUS UPON WHICH TO BASE A REQUEST TO ATTEND THE ABOVE-MENTIONED CONFERENCE SINCE IT HAS NONE OF THE LEGAL BASIS THAT A NATION REQUIRES: NO TERRITORY; NO CAPITAL, NO POPULATION AND NO PERMANENT GOVERNMENTAL ORGANIZATION. IF IT IS ACCEPTED AT THE CONFERENCE, IT WILL BE IN CONTRADICTION WITH THE TEXT AND CONTENTS OF THE 1973 PARIS AGREEMENT ON VIET-NAM BECAUSE NO PROVISION OF THE AGREEMENT SPECIFIES THAT THERE ARE TWO GOVERNMENTS OR TWO NATIONS IN (SOUTH) VIET-NAM. IT WOULD CONTRADICT THE 1954 GENEVA ACCORD WHICH RECOGNIZES ONLY ONE GOVERNMENT IN SOUTH VIET-NAM AND IS IN CONTRAST WITH THE (PRESENT) REALITY IN SVN. SUCH (ACCEPTANCE) ACTION WOULD MEAN MEDDLING IN THE SVN'S INTERNAL AFFAIRS.

6. THIRD: THE FACT THAT THE "PRG" REQUESTED TO JOIN THE GENEVA CONVENTIONS BUT POSED NUMEROUS RESERVATIONS CONTRADICTS THE CONVENTIONS GOALS AND PURPOSES. THE RVN STRONGLY PROTESTS THE ABOVE REQUEST OF THE "PRG" TO ATTEND A CONFERENCE WHICH IS HELD ONLY FOR THE NATIONS SIGNATORY TO THE GENEVA CONVENTIONS AND MEMBERS OF THE UN. THIS REQUEST IS EVEN MORE UNREASONABLE CONSIDERING THAT THE VC THEMSELVES HAVE NEVER OBSERVED THE CODE OF WAR AND THE TREATMENT OF WAR VICTIMS.

7. THE RVN REQUESTS THE PEACE AND FREEDOM LOVING NATIONS OF THE WORLD TO PREVENT THE VIET CONG FROM CARRYING OUT THEIR DARK SCHEME OF SEEKING INTERNATIONAL RECOGNITION WHICH THEY HAVE NO RIGHT TO RECEIVE. END QUOTE.
MARTIN

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